

REMARKS

Claims 1-18 now stand in the application, claim 12 having been amended and new claim 18 added. Reconsideration of the application and allowance of all claims are respectfully requested in view of the above amendments and the following remarks.

As a preliminary matter, it is noted that there have been two Information Disclosure Statements filed by applicant in the present case, one on March 8, 2004 and the second on August 18, 2004. Attached to the Office action is a copy of the form PTO/SB/08 submitted with the IDS of August 18, 2004, as well as a copy of a form PTO/SB/08A filed in some other case having an inventor named ARAI. There is no copy of the form PTO/SB/08 submitted with the IDS of March 8, 2004. It is assumed this is simply a clerical error and that the prior art submitted in the IDS of March 8, 2004 has been considered. It is requested that the prior art submitted in the IDS of March 8, 2004 be formally made of record.

Claim 12 is amended to respond to the rejection under 35 USC § 112. The antecedent basis for “each second portion” is now included in claim 12. The amendment to claim 12 is supported by page 5, lines 23-34.

A new claim 18 is introduced, corresponding to original claim 1 but including an additional feature supported on page 7, lines 15-18.

Claim 1 is rejected as being unpatentable over Chang et al. (US 6,387,566) in view of Guindy et al. (US 6,541,155). This rejection is respectfully traversed.

Chang discloses a battery 30 including an electrode assembly 35 having positive electrode sheets 32 and negative electrode sheets 33 layered alternately with separator 34 interposed between each pair of positive and negative sheets. The electrode assembly 35 is housed in a case 31 which comprises an upper case body 31a and a lower case body 31b. Each case body 31a, 31b is comprised of a thin conductive foil 41, 44, such as an aluminium foil, both surfaces of which are coated with electrical insulating layers 42, 43, 45, 46.

The examiner states that Chang et al. is silent with regard to the negative and positive electrode each comprising a current collector. Applicant agrees with this statement but wishes to add that Chang et al. further fails to disclose that a single connection tab passes through said packaging means in such a manner as to project outwards, as claimed in claim 1.

The battery disclosed in Chang et al. does have a positive terminal 38 and a negative terminal 37 placed on either side of an electrically insulating layer 43-45. The exposed aluminium layer 38 on the lower case body 31b serves as a positive terminal and the exposed aluminium layer 37 on the upper case body 31a serves as a negative terminal. (Col 2, lines 57-60).

However, the said terminals of Chang et al. do not co-operate with the said insulating layer to define a single connection tab that passes through said packaging means in such a manner as to project at least partially outwards.

Indeed, the upper case body 31a and the lower case body 31b including the exposed aluminium layer areas – the thus-made upper case body and lower case body (col. 2, line 60-61) – are joined together at their peripheries, hermitically sealing the electrode assembly in the case.

Chang et al. even point out that there are no terminals interposed between the adhering peripheral surfaces of the two case bodies. (Col 2, line 66 - col. 3, line 1)

Chang et al. discloses terminals incorporated in a peripheral flange of the sealed packaging means. In contrast, according to the claimed invention, terminals are interposed between two case bodies (FIG. 2) and the terminals are joined into a single connection tab 3 which passes through the packaging means 4 in such a manner as to project at least partially outwards. This is not disclosed in Chang et al.

In addition, none of the other cited prior art discloses a single connection tab defined by a positive terminal and a negative terminal placed on either side of an electrically insulating layer, where said single connection tab passes through said packaging means in such a manner as to project at least partially outwards.

Guindy et al. discloses a bicell battery having two connection tabs (FIG. 1) each connection including first and second counter electrodes (of a first polarity) and an intermediate electrode (of a second polarity) positioned therebetween. Guindy et al. therefore fails to disclose a single connection tab defined by a positive terminal and a negative terminal placed on either side of an electrically insulating layer, where said single connection tab passes through said packaging means in such a manner as to project at least partially outwards.

Thus, if one of skill in the art would have incorporated the current collectors of Guindy et al. into the battery of Chang et al., the present invention would not have resulted.

Claims 6-10 are rejected as unpatentable over the same art discussed above and further in view of Dasgupta (USP 6080508). Dasgupta does not make up for the deficiencies of the art

discussed above in teaching the subject matter of the parent claims, so claims 6-10 are patentable over the prior art due to their dependency on allowable claims.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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